

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JERI CONNOLLY, et al.,

Plaintiffs,

v.

WEIGHT WATCHERS NORTH
AMERICA INC,

Defendant.

Case No. 14-cv-01983-TEH

CLASS ACTION JUDGMENT

This matter came on for hearing on December 15, 2014, on Plaintiffs' Jeri Connolly and Rhonda Arneson's ("Plaintiffs," "Representative Plaintiffs") Motion for final approval of the proposed settlement of this action on the terms set forth in the Joint Stipulation of Settlement and Release (the "Agreement").

Upon consideration of all matters submitted at the hearing and otherwise, for the reasons stated in the accompanying order approving the class action settlement agreement, **FINAL JUDGMENT IS HEREBY ENTERED.**

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that:

1. This Final Judgment incorporates by reference the definitions in the Stipulation of Settlement and Release ("Settlement Agreement"), and all capitalized terms used herein shall have the same meanings as set forth in the Settlement Agreement.

2. The Court hereby grants final approval of the Settlement and Agreement as fair, reasonable and adequate in all respects to the Class Members pursuant to Rule 23 of the Federal Rules of Civil Procedure, and orders the Parties and the Settlement Administrator to implement the terms of the Agreement pertaining to the distribution of the Settlement Fund and Net Settlement Fund in accordance with the terms of the Agreement.

1 3. The plan of distribution as set forth in the Agreement providing for the
2 distribution of the Net Settlement Fund to Class members is hereby finally approved as
3 being fair, reasonable, and adequate pursuant to Rule 23 of the Federal Rules of Civil
4 Procedure.

5 4. As previously held in the Court's Order Granting Preliminary Approval, the
6 Settlement Class for settlement purposes is appropriate under Fed. R. Civ. P. 23 and
7 related case law and is defined as follows:

8 Settlement Class: All persons who worked for Weight Watchers North America,
9 Inc. as "Leaders," "Receptionists," or employees performing "Location Coordinator
10 Work" (pay codes 40 and 41) in California at any time during the period from January 9,
11 2011 through December 9, 2012, according to Weight Watchers' payroll records.

12 5. As previously held in the Court's Order Granting Preliminary Approval, the
13 Court appoints as Class Counsel the law firms of Rudy, Exelrod, Zieff & Lowe, LLP, and
14 Steven G. Zieff as Lead Class Counsel.

15 6. The Court approves payments of service awards of \$12,500 to
16 Representative Connolly and \$10,000 to Representative Arneson for their service to the
17 Class, which shall be paid from, and not in addition to, the Settlement Payment.

18 7. The Court hereby approves the amount of \$10,000 as the amount of the
19 Settlement Fund that is for settlement of Plaintiffs' claims for penalties under the
20 California Labor Code Private Attorneys General Act and directs Defendant to pay 75% of
21 that amount, or \$7,500, to the California Workforce and Development Agency as its share
22 of the Settlement Fund which is for settlement of PAGA claims.

23 8. The Court approves the payment of attorney's fees in the amount of
24 \$421,875.00 to Class Counsel, which shall be paid from, and not in addition to, the
25 Settlement Amount.

26 9. The Court also approves the additional payment of attorneys' costs in the
27 amount of \$8,333.56 to Class Counsel to reimburse them for their expenses, which shall be
28 paid from, and not in addition to, the Settlement Amount.

1 10. The Court also designates two *cy pres* recipients for the proceeds of any
2 uncashed Class Member checks: San Francisco Legal Aid Society - Employment Law
3 Center, and The Los Angeles County Bar Association Counsel for Justice.

4 11. The Court hereby dismisses this Action with prejudice, with each party to
5 bear his, her or its own costs and attorney's fees, except as provided in the Agreement and
6 as set forth in the Order Granting Plaintiffs' Motion for Final Approval and as set forth in
7 any other Order issued in response to the application by Class Counsel for an award of
8 attorney's fees, costs, and expenses.

9 12. The claims in this Action of each Settlement Class member against Weight
10 Watchers, and against any and all of the Releasees as defined in the Agreement, are fully,
11 finally, and forever released, relinquished and discharged pursuant to the terms of the
12 Agreement.

13 13. All members of the Settlement Class are hereby forever barred and enjoined
14 from prosecuting the released claims against any of the Releasees as defined in the
15 Agreement.

16 14. Each member of the Settlement Class is bound by this Judgment, including,
17 without limitation, the release of claims as set forth in the Agreement.

18 15. This Judgment, the Agreement, and all papers related thereto, are not, and
19 shall not be construed to be, an admission by Weight Watchers of any liability, claim or
20 wrongdoing whatsoever, and shall not be offered as evidence of any such liability, claim or
21 wrongdoing in this Action or in any other proceeding.

22 16. Without further order of the Court, the Parties may agree to reasonable
23 extensions of time to carry out any provisions of the Settlement Agreement.

24 17. Without affecting the finality of this Judgment, the Court reserves exclusive
25 and continuing jurisdiction over the Action, the Named Plaintiffs, the Settlement Class,
26 and the Defendant Weight Watchers for the purposes of supervising the implementation,
27 enforcement, construction, and interpretation of the Agreement, the Preliminary Approval
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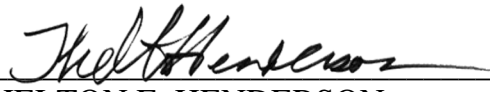
1 Order, the distribution of the Settlement Payment, the award of attorney's fees, costs, and
2 expenses, the Order Granting Plaintiffs' Motion for Final Approval, and the Judgment.

3 18. There is no just reason for delay in the entry of this Final Judgment and
4 immediate entry by the Clerk of the Court is expressly directed pursuant to Rule 54(b) of
5 the Federal Rules of Civil Procedure.

6 19. The Clerk shall CLOSE THE FILE.

7
8 **IT IS SO ORDERED.**

9
10 Dated: 12/16/14



THELTON E. HENDERSON
United States District Judge

United States District Court
Northern District of California